

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE: Application of Paul Kenneth RAND

Serial No.: To be assigned

Art Unit: To be assigned

Filing Date: Concurrently herewith

Examiner: To be assigned

For: *Capsule for a Powder Medicament*

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Applicants request that the references identified on Form PTO-1449 appended hereto be considered by the Examiner and officially made of record in accordance with the provisions of 37 CFR 1.97

Copies of the references listed on the attached form PTO-1449 as item nos. 14, 17-21, and 34-42 are enclosed

Copies of the references were submitted in parent application Serial No. _____ (37 CFR 1.98(d))

A copy of the International Search Report which issued on International Application No.

PCT/EP2003/013074 is submitted herewith. All of the publications cited in the International Search Report are listed on the attached form PTO-1449 as item nos. 1, 3-4, 15-16, and 30 and Applicants understand that copies have been supplied to the U.S. Patent Office by the International Bureau.

A. The Information Disclosure Statement submitted herewith is being filed within three months of the filing date of the above application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 CFR 1.97(b).

OR

The Information Disclosure Statement submitted herewith is being filed before the mailing of a first office action after the filing of a Request For Continued Examination under 37 C.F.R. 1.114 (37 C.F.R. 1.97(b)(4)).

B. The Information Disclosure Statement transmitted herewith is being filed after three months of the filing date of the above application or the date of entry into the national stage as set forth in § 1.491 of an international application or after the mailing date of the first Office Action on the merits, whichever event occurred last, but before the mailing date of either:

- (1) a final action under § 1.113 or
 - (2) a notice of allowance under § 1.311,
- whichever occurs first.

Applicant hereby certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.

Applicant elects the option to pay the fee set forth in 37 CFR 1.17(p) for submission of an Information Disclosure Statement under § 1.97(c) (\$180.00).

10/535453

Atty. Docket No. 149USw

JCOC Rec. CT/PTO 19 MAY 2005

C. [] The Information Disclosure Statement transmitted herewith is being filed after a final action under § 1.113, or a notice of allowance under § 1.311, whichever occurs first, but before the payment of the issue fee. Also enclosed is a copy of the International Search Report which Issued on International Publication No.

In accordance with the requirements of 37 CFR 1.97(d):

[] Applicant hereby certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement. [or]

[] Applicant hereby certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of this statement; and

[] The petition fee set forth in § 1.17(i)(1) (\$180.00) is submitted herewith.

[X] Please charge any required fees to Deposit Account No.07-1392.

[] A duplicate copy of this paper is attached.

Respectfully Submitted,

James P. Riek
Attorney of Record
Registration No. 39,009

Date: May 19, 2005
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FORM PTO-1449

**FORM 10-145
INFORMATION DISCLOSURE STATEMENT**

SERIAL NO.	To be assigned
FILING DATE	Concurrently herewith
APPLICANT	Paul Kenneth RAND
GROUP	To be assigned
EXAMINER	To be assigned
ATTORNEY DOCKET NO.	P33149USw

U.S. PATENT DOCUMENTS

PATENT DOCUMENTS							
Examiner Initials		Patent Number	Issue Date	Name	Class	Subclass	Filing Date If Appropriate
	22.	5,617,971	04/08/1997	EASON et al.			
	23.	5,673,686	10/07/1997	VILLAX et al.			
	24.	5,727,546	03/17/1998	CLARKE et al.			
	25.	5,769,070	06/23/1998	FRATI et al.			
	26.	5,778,873	07/14/1998	BRAITHWAITE			
	27.	5,797,392	08/25/1998	KELDMANN et al.			
	28.	5,881,721	03/16/1999	BUNCE et al.			
	29.	5,924,417	07/20/1999	BRAITHWAITE			
	30.	6,102,036	08/15/2000	ZAMEL et al.			
	31.	6,109,261	08/29/2000	CLARKE et al.			
	32.	6,470,884	10/29/2002	HÖRLIN			
	33.	6,503,084	01/07/2003	EVERS et al.			

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FOREIGN PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS							Translation Yes No
	Document Number	Publication Date	Country	Class	Subclass		Translation Yes No
34.	2340758	03/01/2000	GB				X
35.	01/07107	02/01/2001	PCT				X
36.	01/17595	03/15/2001	PCT				X
37.	01/30430	05/03/2001	PCT				X
38.	1245243	10/02/2002	EPO				X (Abstract)
39.	02/096489	12/05/2002	PCT				X
40.	02/098495	12/12/2002	PCT				X
41.	03/030974	04/17/2003	PCT				X
42.	03/047670	06/12/2003	PCT				X (Abstract)

Continue on page

OTHER DOCUMENTS (Including Author, Title, Journal-Date, Page Number, Etc.)

Continue on page

EXAMINER _____ DATE CONSIDERED _____

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

10/535453

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FORM PTO-1449 INFORMATION DISCLOSURE STATEMENT	SERIAL NO. FILING DATE APPLICANT GROUP EXAMINER ATTORNEY DOCKET NO.	To be assigned Concurrently herewith Paul Kenneth RAND To be assigned To be assigned P33149USw
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U.S. PATENT DOCUMENTS

Examiner Initials		Patent Number	Issue Date	Name	Class	Subclass	Filing Date If Appropriate
	1.	1,410,556	03/28/1922	DORMENT			
	2.	2,587,215	02/26/1952	PRIESTLY			
	3.	2,590,832	03/25/1952	BROWN			
	4.	2,642,063	06/16/1953	BROWN			
	5.	4,391,590	07/05/1983	DOUGHERTY			
	6.	4,446,862	05/08/1984	BAUM et al.			
	7.	4,767,326	08/30/1988	BENNETT et al.			
	8.	5,048,514	09/17/1991	RAMELLA			
	9.	5,287,850	02/22/1994	HABER et al.			
	10.	5,372,128	12/13/1994	HABER et al.			
	11.	5,379,763	01/10/1995	MARTIN			
	12.	5,562,918	10/08/1996	STIMPSON			
	13.	5,595,175	01/21/1997	MALCHER et al.			

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FOREIGN PATENT DOCUMENTS

SEARCHED DOCUMENTS							Translation Yes No
		Document Number	Publication Date	Country	Class	Subclass	
	14.	367560	02/25/1932	GB			X
	15.	367580	02/25/1932	GB			
	16.	837157	04/21/1952	DE			
	17.	89/02289	03/23/1989	PCT			X (Abstract)
	18.	95/31238	11/23/1995	PCT			X
	19.	2323942	10/07/1998	GB			X
	20.	99/58180	11/18/1999	PCT			X
	21.	00/01437	01/13/2000	PCT			X

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OTHER DOCUMENTS (Including Author, Title, Journal-Date, Page Number, Etc.)

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Continued on page _____

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.